

LAW OFFICES OF
TACOPINA & SEIGEL
A PROFESSIONAL CORPORATION
275 MADISON AVENUE
35TH FLOOR
NEW YORK, NEW YORK 10018

JOSEPH TACOPINA^
CHAD D. SEIGEL*
MATTHEW G. DEOREO^
DINA NESHEIWAT*

* ALSO ADMITTED IN NEW JERSEY
^ ALSO ADMITTED IN CONNECTICUT
+ ALSO ADMITTED IN CALIFORNIA
• ALSO ADMITTED IN FLORIDA
*** ONLY ADMITTED IN ITALY

TELEPHONE (212) 227-8877
FACSIMILE (212) 619-1028
WWW.TACOPINALAW.COM

OF COUNSEL:
STEPHEN TURANO*
GEORGE VOMVOLAKIS
FRANCESCO PENTA***
VICTOR SHERMAN+

NEW JERSEY OFFICE:
60 PARK PLACE
SUITE 703-704
NEWARK, NEW JERSEY 07102

August 12, 2015

Hon. Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. John Doe
Docket No. 07-CR-00813 (BMC)

Your Honor:

In accordance with the Court's scheduling order dated August 6th, the defense respectfully submits this letter on behalf of defendant John Doe to advise of the charge to which Mr. Doe will plead in connection with his violation of supervised release.

As outlined in our letter of July 8, 2015, Mr. Doe pled guilty on July 16th in Queens County Supreme Court to Criminal Possession of a Controlled Substance in the 7th Degree, in violation of N.Y.S. Penal Law §220.03, a class A misdemeanor. That statute provides that "[a] person is guilty of criminal possession of a controlled substance in the seventh degree when he or she knowingly possesses a controlled substance ." Because Penal Law §220.03 requires no minimum quantity for culpability, any possession, regardless of how small, satisfies the statute.

As referenced in the Probation Department's updated sentencing report dated August 10, 2015, John Doe will enter a plea before this Court to the same conduct underlying his state conviction, a Class A Misdemeanor, constituting a grade "C" violation. As noted in its updated sentencing report, Probation is amending its violation report to reflect that John Doe is now being charged with that lesser offense.

Thank you for your attention to this matter.

Respectfully submitted,



Chad Seigel

cc: AUSA Margaret Lee (via ECF)